

ORIGINAL

JRW

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

(125 fm
6/27/01)

JOHN RICHARD JAE,	:	
	:	
Plaintiff	:	
	:	
v.	:	No. 1:CV-00-0315
	:	
KENNETH D. KYLER,	:	
individually, and in his official	:	
capacity, <u>et al.</u> ,	:	(Judge Rambo)
	:	
Defendants	:	(Magistrate Judge Smyser)

**FILED
HARRISBUR**

JUN 26 2001

~~MARY E. D'ANDREA, C
Per
DEPUTY CLERK~~

**DEFENDANTS' RESPONSE TO PLAINTIFF'S
MOTION FOR A STAY OF THE PROCEEDINGS**

This is a civil rights act by John Richard Jae, a prisoner incarcerated at the State Correctional Institution at Greene (SCI-Greene). Plaintiff alleges various violations of his civil rights while he was housed in the Restricted Housing Unit at the State Correctional Institution at Camp Hill (SCI-Camp Hill).

Defendants filed a motion for summary judgment in this matter in October 2000. After receiving enlargements of time, they filed their supporting brief and documents on December 5, 2000.

Since that time plaintiff has also received several enlargements of time to file his brief and documents opposing the motion. His opposition to the motion was due on June 18, 2001.

On June 8, 2001, plaintiff moved for a 30 day stay of the proceedings in this matter. Plaintiff points out that he has motions pending that may affect his response to summary judgment. One motion seeks permission to communicate with an inmate at another institution. Another motion seeks an order compelling prison officials to provide him access to certain legal materials and to provide him with paper and envelopes.

The motion seeking permission to communicate with another inmate was filed on June 1, 2001. Defendants filed their opposing brief and the matter is pending before the court.

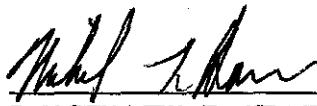
The motion regarding legal materials, paper and envelopes was filed on June 8, 2001. Defendants have requested a week's enlargement of time until July 2, 2001, to respond to this motion.

In light of the Court's need to address these motions, defendants do not object to enlarging the time for plaintiff to respond to defendants' motion for summary judgment by thirty days or until July 18, 2001.

Respectfully submitted,

D. MICHAEL FISHER
Attorney General

BY:


MICHAEL L. HARVEY

Senior Deputy Attorney General

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Chief Deputy Attorney General
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DATE: June 26, 2001

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CERTIFICATE OF SERVICE

I, **MICHAEL L. HARVEY**, Senior Deputy Attorney General, hereby certify that on this date I caused to be served the foregoing, **Defendants' Response to Plaintiff's Motion for Stay of the Proceedings**, by depositing a copy of the same in the United States mail, postage prepaid, in Harrisburg, Pa., addressed to the following:

John R. Jae, #BQ-3219
SCI-Greene
175 Progress Drive
Waynesburg, PA 15370-2902



**MICHAEL L. HARVEY
SENIOR DEPUTY ATTORNEY GENERAL**

DATE: June 26, 2001